App. F. IX-4

1927. (Magazine)

File No. 333-27

Serial Nos. 1-7

Previous References

Jourg 143-20 1-7
149-21-1-4,6,8-10

Later References

General and Revenue Secretariat.

Serial Nos. 7

Part B for September 1928.

SUBJECT

Appeal petition of Basivasetty of Chika Asthanakere re appointment of a Sivachar Pujari to the Kasthe Byreshwara temple at the place.

OR 665 dated 29.9.1928

To the Jourg. Comr.

No reason to interfere with the orders passed by the Jourg. Comr

G. R. S. APP F.III—1] 1927-28

GENERAL AND REVENUE SECRETARIAT.

(Inezrai)

NOTES.

File No. 333-27

FILE HEADING.

Archakship of Katte Byreshwara temple in Chikka Devasmakere Village, Malavalli Taluk.

FROM

Bhima Setty Son of Chenna Setty and others.

~~No.~~ Petition Dated 29.4.1928. Received

Diary No.	Enclos.	Spare copies	Serial No.
1547			1

BRIEF ABSTRACT OF LETTER.

Appeals against the M.C's order directing the appointment of a Smartha Pujari to the said temple and the payment of reasonable compensation to the appts. for losing their right if any to the office in question, and prays for a stay order pending disposal of their petition

NOTES AND ORDERS.

The appeal petition is duly stamped.
An authenticated copy of the M.C's order appealed against has been produced.
The M.C's order is dated 9.4.
While the appeal petition has been

NOTES—First Sheet.

1547

R. S. 12]

General and Revenue Secretariat.

Memo. File No. 333 of 1927-28

Serial No.

Received on 12.5.28. It is in time
Memo. I. no. 143-1920 containing G.O.
of January 1921 demanding the
case to the I.C. for the issue
issuing and disposal of fresh
& the M.C.S. order appealed against
explains the facts of the
case.

4 May a report with records
be called for on the appeal
petition. A stay order is
prayed for but no grounds have
been urged justifying the issue
of such an order during the
pendency of the appeal
Submitted

5 As per the records
16.5.28 may be called for.
No stay order seems necessary.

17-5-28 2nd Member 18/5

6 I agree
Member
19.5.28

7 Dr. 19/5

No. 6769

FINANCIAL SECRETARY
19 MAY 1928
17300

NOTE—Contn. sheet.

GPB—20,000—30 6-15.

G. R. S. 12]

General and Revenue Secretariat.

Revenue File No. 333 of 1927-28

Serial No.	
2	To. Revenue Commr No. 2122 dt 21.5.28 Calls for report with records on the above.
3	Endt No 2123 dt 21-5-28 to Mr K. Shankar Narayanarao Advocate for petr. Informed him of the above.

JM 25/5

NOTE—Contn. sheet.

GPB—20,000—30-6-15.

General and Revenue Secretariat.

File No. of 192

Serial No.

4. From, The Huzrai Cam[r] &c.
Letter no. 1565 dt 28.7.28.
Submits the report with records called for in the case.
10 The order of the M C now appealed against, goes fully into the facts of the case.
11 A copy of the detailed inam register pertaining to the Denadaya inam lands of the village, is in the records of the case. A Off. Calling for copies of statements if any, filed during the inam Settlement in June 1880 is submitted for appl. with a view to know whether they contain statements ~~of admission~~ [illegible] of parties as to who were doing puja - whether Banajigars, Sinadhars or Brahmans.
Submitted.
AV 4.8.28.
12 Dom
AV 6/8

5. To, Supt, Rev Survey & Settlement
NO
Calls for copies of the statts filed by the parties [illegible] during the [illegible]

NOTE—Contn. Sheet.

WD 01714—GPE—30,000—18-4-28

General and Revenue Secretariat.

File No. 332 of 1927.

Serial No. 6

Jums, re Juan Supo?

Letter no. 28 Dy 24. 8. 28.

Reports that the Juan records do not bear reference to the receipt of any statements from the parties at the time of the Juan settlements.

13 The M.C's order appealed against goes fully into the facts of the case.

14 May this case be posted to the 15th Septr along with other cases, Notices being issued to the apltt & the respts?

Conders Solicitor

Srikrn

AC

18/8/28

15 No particular date is stated to have been in the enjoyment of the right to the Pujaridom of the temple & succession for 3 generations. The Panijya pujarist are said to have filed a suit in a Civil Court & the majority of the deities to which he is priest of Srivilliputtur.

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat.

File No. 333 of 1927

Serial No.

In this Court the first may appoint any one whom they choose & that & meet with favor of the Secretary of Education Bijapur right is allowed, in addition of Compensation & remuneration to Mr. Mehta ~~& other~~ under orders. ~~In this appeals is that~~. The All parties may be heard

18 Members

28/8.

16 A. Yes. on the 15th Sept 28.

31.8.28

17 Dr. each notices submit - AY 3.9.28.

3/9/28

18

Bdrs Se. 1928

Case heard. Reserved for order 18. Mills & Mehta for Govt in person and represented by Mr. [illegible] Solicitor 18/9/28

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

P.T.O.

General and Revenue Secretariat. Muz. File No. 333 of 1927.

Serial No.

Case heard on 15th September 1928.

Petitioners were represented by M/s. M. Shankaranarain Rao and the Counter-Petitioners by Mr. S. Venkatapathian.

O R D E R.

The office of Pujari of Patta Eyeleeswaru Temple in the village of Chikkarasinakere, Malavalli Taluk, has not been conferred on any family of either Banajiga or Sivachar community, on condition that it should descend hereditarily in that family. The enquiry held into the matter has not also established the fact that any family of either community has held the office successively for three generations. It has been ascertained that the appointment of a Pujari of Sivachar community is acceptable to a large section of the devotees of the Temple. In these circumstances, there are no reasons to interfere with the orders passed by the Deputy Commissioner and the appeal is therefore rejected.

5.12.28

18/9

21

Dft order sent.

22 Issued

22/9

Note—Contn. Sheet.

20/9

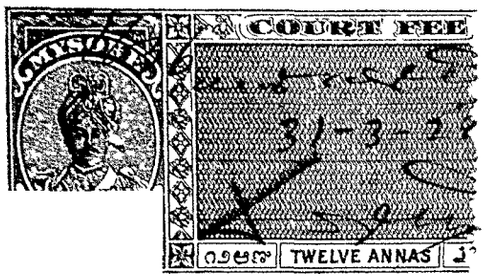
WD 01714—GPB—30,000—18-4-28

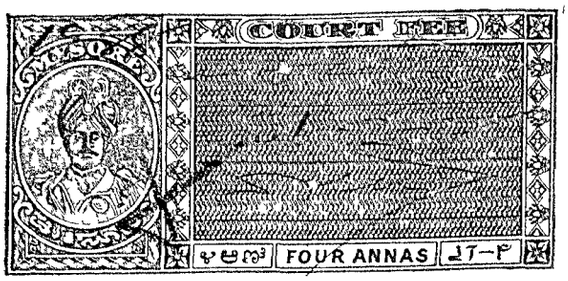
General and Revenue Secretariat. Mer File No. 333 of 1927-28

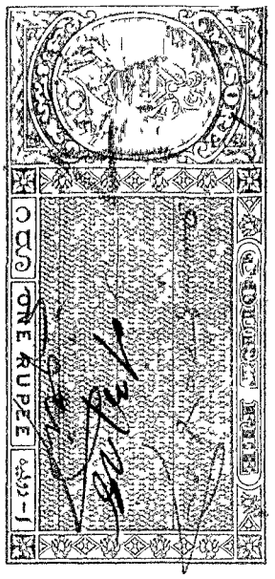
Serial No.	
7	To. mur Coen^r Memo no 665 & 29 9 27 Rejects for reasons stated the appeal petn no 666 & 29. 9. 28 copy to Advocate/pltf no 667 & 29. 9. 28 copy to Advocate for Govt.

NOTE—Contn. Sheet

WD 01714—GPB—30,000—18 4 28







BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, BANGALORE.

D6 488

12 15 28

1. Bhairasetty, son of Chenna Setty.
2. Lingasetty, son of Bhaira Setty.
3. Linga Setty, son of Chenna-Setty.

residing at Chikkarasinakere village, Malvalli Taluk, - Mysore District. — PETITIONERS.

GEN. & REV. SECRETARIAT.
14 MAY 1928
MUZRAI
D 1547

-Vs-

1. Lingegowda, residing at Arasinakere village, Malavalli Taluk.
2. Siddegowda, residing at Arekal Doddi village, - Malavalli Taluk.
3. Siddalingayya, residing at Ajjihalli village, Mandya Taluk.
4. Siddegowda residing at Honnayakanahalli village, Malavalli Taluk. — OPPONENTS.

The Petitioners abovenamed beg most respectfully to state as follows:--

Facts of the Case.

Disputes having arisen between rival claimants to the office of Pujari of the Sri Katte Bairo-Devarau Temple at Chickarasinakere village of the - Malavalli Taluk, and Petitions and appeals having been

hainv been disposed of in the matter by the Asst. Commissioner and Deputy Commissioner concerned , it came u finally in appeal before the Government in the year 20-21. The Government by their Order No.2566/ Muz. 143-20-6 dated 24-1-21, remanded the case to the Deputy Commissioner , Mysore District,for disposal in accordance with law specifically observing that Section 35 of the Muzrai Regulation would not apply to the facts of the case and that, as the question involved was one of rival claims to the office, the matter had to be decided upon the evidence and the office disposed of according to such decision and not by election as contemplated by Sec.35. The learned Deputy Commissioner who was the same officer as had referred the matter to election circumvented the order of the Government and once again, canvassed the same position as in an election by directing the Amildar to find out the wishes of the devotees and disposed of the matter in accordance with the report of the Amildar. This enquiry held by the Amildar, while, on the one hand, it was in spirit specifically against the express directions of the Government, on the other , was held exparte,and the present Petitioners had consequently to bring the matter before Government once again, and the benign Government were pleased once againt to remand the case for disposal according to law. Onee again, the same position was canvassed for by the local authorities and the office was disposed of by the Deputy Commissioner to a Sivachar on the ground that the majority of the

devotees

devotees desired it. Against this order, the present petitioners preferred an appeal to the Muzrai Commissioner , who has passed the accompanying order.

The Petitioners beg most respectfully to submit that the order is not tenable and liable to be set - aside for the following amongst other reasons:--

1- The course adopted by the learned Deputy - Commissioner is specifically opposed to the directions of the Government and both the learned Deputy Commissioner and Muzrai Commissioner erred in law in upholding the course and directing the appointment of a Sivachar pujari.

2. The learned Deputy Commissioner erred in - law in assuming that Chennaiyya who is mentioned as having held office in or about June 1882 was a Sivachar and on that ground holding that the Petitioners herein had not established that the office was hereditary in their family.

3. The learned Deputy Commissioner's order is based on a total misconception of the established - facts and probabilities of the case and the learned Deputy Commissioner has viewed the case from entirely wrong points of view and based his conclusions on incorrect assumptions as to the allegations of the - parties.

4. The learned Muzrai Commissioner has also erred in law in accepting the finding of the learned Deputy Commissioner that the Petitioners herein have not established their hereditary right to the office.

5. Chennaiyya referred to in the records of 1882 is an ancestor of the Petitioners herein and the records clearly show it. In fact, this contention had

not

not been put forward even by the opposite side.

6. The evidence in the case and the other documents all clearly establish that the Petitioners herein and their ancestors have held the office in their family hereditarily for at least 3 generations.

7. Section 36 of the Regulation does not apply to the facts of the case at all and the learned Deputy Commissioner erred in relying upon the same.

8. Most of the people whose wishes are alleged to have been ascertained are not devotees of the temple at all. Assuming , therefore, that the course adopted by the learned Deputy Commissioner is warranted, the procedure is irregular and illegal.

9. As a matter of fact, in the faceof the Government Order , no other course except a decision on the question of the rights of the respective parties ought to have been adopted.

10. The orders sought to be revised are highly inequitable and have the effect of depriving the appeallants of rights and benefits enjoyed by them from the days of their remote ancestors.

11. The orders are otherwise against law and the facts and weight of evidence in the case.

The Petitioners, therefore, pray that the orders sought to be revised may be set aside and the Petitioners herein declared entitled to the office.

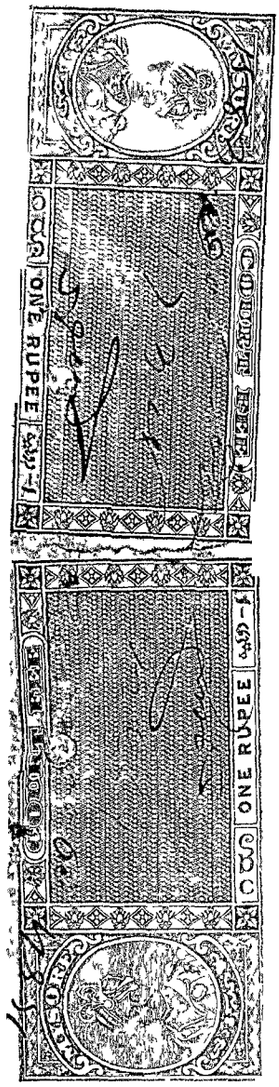
The Petitioners further prays that,

pending

ending disposal of this Petition, an order may be issued to the Deputy Commissioner directing him to stay further proceedings pending the disposal of this Petition.

BANGALORE
29th April 1938

Advocate for Petitioners.



order of the Madras Commissioner in Mysore

Subject:- Appeal petition no 17 of 26-27 dated 23-4-27 of Bana Selly and two others of Chickaranakere village Malavalli Taluk against the order of the Deputy Commissioner Mysore District in the matter of the Archakship of the Kalle Baravadevaru temple at the place.

Appellants: (1) Bana Selly Son of Chenna Selly
(2) Thimja Selly Son of Bana Selly
(3) Thimja Selly Son of Chenna Selly
residing in Chikkaranakere village in Malavalli Taluk, Mysore District

respondents (1) Thimje Gowda residing in Arasinakere village
(2) Siddegowda residing at Arakal-
-doddi village Malavalli Taluk
(3) Siddalingayya residing at Ayya-
-halli village in Mandya Dt
(4) Siddegowda residing at Honnakana-
halli village Malavalli Taluk

Facts of the case

The present dispute is about the pujari-ship of Kalle Baravadevaru temple in the village of Chikka ranakere village The appellants who are Banajiga Sel- claim to have while the respondents claiming to be the managers of the Institution wants a

Sivachar pujari. In connection with a petition
of the respondents in Nov 1914, praying for the
appointment of a permanent Sivachar poojari - replacing the
temporary Brahmin poojari
who cannot do the duty of carrying Vandi Kaliba etc.
Necessary enquiries were made by the Sheristadar
and records submitted to the Assistant Commissioner
in charge of Malavalli Taluk recommending the
appointment of a Sivachar poojari. Before
any orders were passed on this there was another
petition urging early orders. On this a regular
enquiry was ordered. On submission of the records
the Assistant Commissioner ordered on 3-9-18 that
the question of appointing a pujari must be held
in abeyance until the Suit before him in the
same connection was decided as a person agreed
to by both sides was selected. In the meantime Byrappa
the 1st appellant presented a petition on 11-5-1917
that the archakship of the temple was divided
between himself and his two cousins, each
having a term of 4 months, that when the petitioner's
turn fell in June 1914, he went up to take charge
of the temple, but was prevented by the Brahmin
poojari who had usurped the Inam lands also
and that he might be appointed archak and
declared as Hattidar poojari and the Inam lands
restored to him. This also formed the subject-matter
of enquiry when the records went up before the

Deputy Commissioner to whom an appeal was preferred by the respondents against the order dated 3.11.1948 of the Sub Division where he in his order of 17-8-1920 directed the election of a poojari for the temple under Section 35 of the Madras Regulation. Against this order the appellants went in appeal to Govt who observed that the Section as proposed did not refer to the present case where there were rival — parties claiming the archakship and remanded the case for further enquiry and disposal. The Amildar was directed to find out the wishes of the devotees. on receipt of the Amildars rep- after enquiry the Same by commissioner Mr Bowring ordered on 29-7-21 that a Sivachar was the proper person to be appointed as poojari, the opposite party of Banajigars i.e (Appellants) being an- undoubted minority. The appellants again approached Govt saying that they had not been heard, Govt thereupon directed that an- opportunity be given to the appellants for produc- evidence before the Amildar within a specified time so that the plea of Govt. if not be urged. Needful instructions were issued to the Amildar who after making due enq- ries reported -

in his no 11 dated 15th October 1925 that the records and local enquiry showed that prior to 1880 there were Swachan pujaris there after Banajigars till they tendered resignations to the Semi gopatam Munsiffs court, Brahmins for 3 or 4 years and after them the Swachars. He further stated that there being parties among the Bhaktas since 1880, the influential party at the time had their own pujari, that neither the Swachar nor Banajigars had their pujaris continuously for 3 generations as contemplated in Section 36 and so no hereditary right had been acquired by either party. He recommended the advisability of having Swachar pujari as the election of the Bhaktas wanted the puja to be done by Swachar. The 3rd Commissioner after hearing the arguments in both Cases reaffirmed the Board's order of 1921 directing the appointment of a Swachar pujari and observed that the Banajigar pujaris were dubbers in their name the year 1860 and held the main lands, that the Inam record showed that on 26-6-1882 pujari Chennayya a Swachar was in possession of the Inam lands, that the Banajigars had not alleged nor proved that they had been in their hereditarily for 3 successive generations as required by Section 34 of the Inam Regulations and declared that their right to the Archa

was not therefore a hereditary one. the further observed that the Rajamanya filed by the appellants in a suit in the Munsiff's Court - Seringapatam gave an indication of relative rights and there a title legal. which cannot be ignored, though it was only legally binding, as otherwise the evidence as read and the admission of even the Respondents would have sufficed to allow Byrasetty and others to continue in charge of the temple worship during their life time on the ground of adverse possession for 12 years prior to 1914. He further ordered that no compensation need be given as it was due only in respect of claimants with hereditary rights and as no such right had been established.

The present appeal is against the above order. The appellants and respondents with their respective counsel were heard on 24-1-28

Order no A Dis 97 of 27-28 dated Bangalore 7. 3-1928.

On behalf of the respondents, it is contended that no appeal lies to the Madras Commissioner as no such appeal was allowed when the proceedings were instituted. In matters of procedure the law of the appellate court is the one in force when it

appeal has failed and there being provision for such appeals under the Trust Regulation, I cannot accept the objection. I do not see much reason to differ from the conclusion of the Commissioner that it is not established that either the Poolkar or the Bunajagars have any share during pujah to the Devi and even conceding that there is a mistake as to the identity of Channayya referred to in the Inam records and that he is one of the ancestors of the appellants, there is ample evidence to show that the Devi has not been held both uninterruptedly and exclusively by claimants belonging to either Sect. In matters of this kind it is desirable to adopt the candidate acceptable to the majority of the devotees who happen the Poolkars. and I am not therefore in favour of appointing the appellants contrary to the wishes of the majority. But having regard to the decision of civil court which though not binding raises a presumption that the claim of the appellants cannot be altogether without a basis. I think it is equitable before determining the appeal, to altogether from holding the pujaship to give them some consideration I understand that the Poolkars

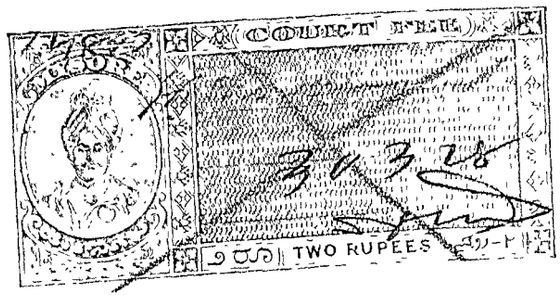
have no reasonable objection to this. The case should be remanded to the Dy Commissioner for opinion as to the amount of compensation to be reasonably awarded after making sufficient allowance for the fact that although the appellants and their ancestors seem to have held the office more frequently than the Sirdhars, the hereditary character of the office has not been conclusively established.

Sd) P G De Souza
Judicial Commissioner

Copy applied for on 15-3-28
Copy ready 17-3-28
Copy delivered 17-3-28
No words 1140
Copying fees 1-8-0
0-4-0
Comparing 0-4-0
Postage 0-1-0
Compared by Thanuman Nair

Copy

N Bhimaya Rao
for Judl Comr



In the Court of the Before the Govt. of H. H. the Maharaja of Mysore, Bangalore

Munsif —CASE NO. OF 1927—1928.

Appellant ~~*Plaintiff.*~~ Petitioner Bhairasetty & others

Respondent ~~*Defendant.*~~ Opposite Party

Vs.

Thippanna Gowda & others

I the petitioner above named do, by these presents, retain MR. K. SHANKARA NARAYANA RAU, M.A., B.L., *Advocate*, MR. B. SHANKARA RAO, B.A., LL.B., and MR. K. V. SUBBA RAO, M.A., LL.B., to appear and conduct the above case on my behalf to judgment.

2. We further empower them to do all necessary acts in the above case, to execute any decree or order that may be passed in my behalf and to receive from the Court all documents, refunds, and all sums of money that we may be entitled to get and grant receipts therefor.

3. We also undertake to confirm and ratify all the acts done by the said Advocates or by any other Advocate on their behalf in so doing.

Left thumb mark of Byra Setty son of Channa Setty.

BANGALORE,

.....192 .

Left thumb mark of Byra Setty, son of Putta Setty.

Accepted.

Personally known to me and signed in my presence.

Advocates.

993-25 THE BANGALORE PRES

Letter No 2122/333-27 dated 21-5-28
from the Financial Secretary to Govt
of His Highness the Maharaja of Mysore -
to the Inspector General of Forests.

I am directed to forward herewith for
report with records herein Rs 1565 from
Bhavia Sahy, Son of Chamasahy and others,
appealing against your order directing the
abolishment of a Swachar Rajari to collect
Poojedevaru Temple in Chikkaramanahere
village, Krishnarajanagar Taluk etc. and to state
that the appellants have been separately
informed that no stay orders can be
issued as prayed for by them.

No 1565/27-8. Office of the Insp-General
of Forests, Mysore. Dated 2-6-28.

Memo.

Copy of the above together with herein
is forwarded with compliments to the
Deputy Commissioner, Mysore District for
favour of the early Submission of the
report together with the connected records.

for Inspector General of Forests
Mysore

urgent

No Hz 866/24

One one file.

Memo

Copies of the above together with its one file of enclosure is forwarded to the Sub Divisional officer French Rocks, in continuation of Hz 866/24 dated 29-3-28, for immediate submission of the enquiries with the report called for therein

Sd 10465

13.6.28
KS

For District Commissioner
Klu Gongola District.

Hz. Ar 2349/27

Memo

Forwarded with enclosures to the Builder, Mokwalla Talub for submission of a report with enclosures at a very early date

post
24/6/28
urgent - unfit
Mah

8-5-28
L. Rocks

28/6/28.

2

Submitted to the Deputy Commissioner
Mokwa District

ಎ ೨ TWO RUPEES ಟಪ್ಪು-

ಶ್ರೀಮಂದು ವಿಂಶತಿ ಸಂಖ್ಯಾ ಸಂವತ್ಸರ ಶ್ರೀಮನ್ಮಹಾರಾಜ ಶ್ರೀಯವರ
ಸಂವತ್ಸರದಲ್ಲಿ ಶ್ರೀಮದ್ಧಾರವಾಡ ಕೋರ್ಟಿನಲ್ಲಿ

ಸಿವಿಲ್ ಜಾಯ ಅರ್ಜಿ ನಂ 3 1927—28

ವಾದಿಯಾ ಅರ್ಜಿದಾರ್ ಪ್ರತಿವಾದಿ ಆಪೋನೆಂಟ್

ಬೈಲಪ್ಪ ಸಿದ್ದಪ್ಪನವರ VS ಲಿಂಗಪ್ಪ ಸಿದ್ದಪ್ಪ

ಅಡ್ವೊಕೇಟರು

ಮು॥ ರಾ॥ ಸಂಪಿಗೆ ವೆಂಕಟಪತ್ತೈಯ್ಯನವರು

ಇವರಿಗೆ ಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮ

ಮೇಲ್ಕಂಡ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು

1. ನ ಎಳ್ಳಿಪರ ಹಾಜರಾಗಿ, ಆಫೀಸರವರಿವಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದವನ್ನು ಜರುಗಿಸುವುದಕ್ಕೂ

2 ನೆ ವಿರುದ್ಧರ ಆಗುವ ಎಲ್ಲಾವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿ ಕ್ರಮ ನಡೆಸಿ ಹಣವನ್ನು ವಸೂಲ್ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ

3 ಕೋರ್ಟಿನಿಂದ ನ ಗೆ ಸಲ್ಲಬೇಕಾಗಿ ಬರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಇತರೆ ಜಾರಿ ಮೊಬಲಗು, ಸಿಲ್ಕು ಮೊಬಲಗು ಮತ್ತು ರೀಫಂಡು ಮೊಬಲಗನ್ನೂ ಸಹ ಪಡೆಯುವುದಕ್ಕೂ

4. ದಸ್ತ್ಯೆವಜು ಮುಂತಾದವುಗಳನ್ನು ವಾಪಸ್ ಪಡೆಯ್ಯುವುದಕ್ಕೂ ಸಹ ಈ ಮೂಲಕ ತಮಗೆ ಸಂಪೂರ್ಣವಾದ ಅಧಿಕಾರವನ್ನು ಕೊಟ್ಟಿದೇನೆ. ಈ ಎಲ್ಲಾ ಭಾಗೆಗಳೆಲ್ಲೂ ತಾವಾಗಲಿ, ತಮಗೋಸ್ಕರ ಮತ್ತಾ್ಯವ ಲಾಯರಾಗಲಿ ಕ್ರಮವರಿತು ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾ ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿ ಕೊಳ್ಳಲು ಬದ್ಧರಾಗಿದೇನೆ.

ತಾರೀಖು
11-9-28.

L.T. mark of Lingey Gowda

ಈ ಮೊಖ್ತ್ಯಾನರ್ನೆಮೆಯನ್ನು ಅಂಗೀಕರಿಸಿದೇನೆ.

S. Venkatapathaiya

Advocate for

ಈ ಮೊಖ್ತ್ಯಾರ್ನಾಮೆಯನ್ನು ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರಾಗಿ ನನ್ನಸಮಕ್ಷಮದಲ್ಲಿ ಗುರುತನ್ನು ಮಾಡಿರುತ್ತಾರೆ.

L.T. mark of Siddey Gowda.

S.

SUBJECT.....

.....

.....

Section

File No.

Serial No

No.

Diary No. of letter replied to.....

General and Revenue Secretariat.

( )

the *192*

To .....

Date of issue 21-5-28

Signed by .....

With ref. to his petition
no 1547 presented on
behalf of Bhanu Singh
others & the Kharaswamy
Malualli Taluk appealing
against the order
directing the appointment
of a Guracha. pujari
to Kalle Hyre Temple
temple at the places
[illegible]

List of enclosures .....

Copied by .....

Examined by .....

with records has been called
for in the subject and that
no stay order can be issued
as prayed for pending disposal
of the appeal petition.

B.O

Ag Dist Secty

A. P. F. VI. G1]

SUBJECT.....

.....

.....

2015

Section Mcg

File No. 333-

Diary No. of letter replied to.....

Serial No.

No. 2125

General and Revenue Secretariat.

( )

the *192*

To The Insp. Genl

Date of issue 21-5-28

Sir,

I am directed to forward herewith for report Vakil's and petition no. 1547 from Bhadra Solly, son of Channa Solly and others, appealing against your order directing the appointment of a Siruda Pujari to Kalle Byreshwara temple in Chikkarasinakere Village, Maduvalli Police Limits and to state that the appeal has been submitted

Signed by Mr Lt.-Commdr Joyce

List of enclosures.....

Copied by .....

Examined by .....

over

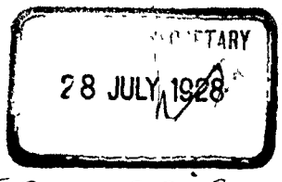
informed that no stay order
can be issued as prayed for by them,
pending the disposal of the
appeal.

I have the

Dated this [illegible] day of September

82
28/5

[. C. 13]



OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore.....26th..J..u..l..y.....192 8.

28

No. 1665 Sw 1+27 file
27-8

30-7-28

FROM

P. G. D'Souza, Esq., B.A., B.L., D 164
The Muzrai Commissioner in Mysore.

Mucz 332

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Financial Department.

SIR,

Referring to your letter No.2122/Muz.333-27 dated 21st May - 1928 forwarding for report with records petition from Bhaira Setty others appealing against this office order directing the appointmen of a Sivachar Pujari to Katte Byredevaru temple in Chikkarasinakere village, Malavalli Taluk, I have the honor to submit herewith the -- entire file of connected records received with the Mysore District -- Deputy Commissioner's letter No.H.T.866/26 dated 19th July 1928 (copy of which is herein enclosed).

This office file No.R.Dis.97 of 27-28 dated 7th March 1928 --- containing the order appealed against, the preamble of which gives the facts of the case is also enclosed for reference and kind return.

The appeal petition together with its enclosures is herewith - retransmitted.

I have the honor to be,
Sir,
Your most obedient servant,

Muzrai Commissioner.

A, P. F.-VI.-Gl]

SUBJE

.....

.....

Letter No.H1.866/26 dated 19th July 1928 from the Deputy Commissioner, Mysore District to the Muzrai Commissioner in Mysore.

- - - - -

Katte Byredevaru temple-Chikkarasinkere-Malavalli Taluk-appointment of Pujari-appeal.

- - - - -

With reference to your Memo No.1565 of 27-28 dated 1/2nd June 1928 forwarding for report petition from Bhaira Setty appealing against your order directing the appointment of a Sivachar Pujari to Katte -- Byredevaru temple in Chikkarasinkere, Malavalli Taluk, I have the honor to submit herewith the entire file of connected records and to state - that the facts of the case are set forth in the preamble to your order No.R.Dis.97 of 27-28 dated 7th March 1928.

2. The Amildar reports that he could not settle the amount of -- compensation to be paid to the petitioners as they have stated that - this question has to be settled after their present appeal before the - Government is decided, and as the counter petitioners did not appear - before the Amildar on 2nd July 1928 as per date fixed by him.

3. The appeal petition with its enclosures is retransmitted herewith.

"C o p y"

M. Thimmaiah

For Muzrai Commissioner.

A, P. F. VI. Gll

SUBJECT.....

.....

.....

Section Owner

File No. 3332-2

Serial No. 5

No. of letter replied to.....

No. 283

General and Revenue Secretariat

( )

192

To The Supdt. Rvi Survey & Settlement

of issue. 7-8-28

Sir,

d by. W F K. Someswara Iyer

I am directed to request you to be so good as to send up for reference copies of the statements, if any, filed by the parties during the Settlement on 23.6.1880, of old Inct no. 588 as claim for the benefit of Phalguna's temple at Chik Deva Sandra Kere in the Inchally Jahgir

Copied by .....

Examined by .....

over

28/5/0

OFFICE OF THE SUPERINTENDENT,
MYSORE REVENUE SURVEY,

Dated, Bangalore.....23rd..August..... ... 192 8.

FINANCIAL
24 AUG. 1928
No. 1848

D 324 74
333-27-6

D. SRINIVASA RAO, ESQ., B.A.,
Superintendent, Revenue Survey and
Settlements in Mysore.

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,

Secretary to the Government of H.H. the
the Maharaja of Mysore, Financial Dept.

SIR,

With reference to your letter No.283/Muz333-27-5 dated 7-8-28 requesting copies of statements filed by the parties in connection with the Inam Settlement of old wet No.388 of Chikarasinkere village, Malavalli Taluk, belonging to Bhairava's Temple at the place, I have the honor to state that the Inam records do not bear reference to the receipt of any statements from the parties at the time of Inam Settlement.

I have the honor to be,
Sir,
Your most obedient servant,

Assistant Commissioner
For Superintendent absent
from Station.

Before the Government of His Highness the Maharaja of Mysore.

Miz: Appeal No. 3 of 1927-8.

Appellants

Bhaira Setty, Linga Setty and others.

Vs.

Respondents

Linge Gowda, Sade Gowda and others.

Subject.

Appeal against the Dn c's order directing the appointment of a Sirachar Pujari to Kalle Byreshwara temple in Chikka Arasinakere Village, Malavalli Talk.

Decision

The case was heard on 15th Septr 1928, apltts being represented by Mr M. Shankaranarayana Rao and the respts by Mr S. Venkatapathiah.

[illegible] copy members note on page 7 of the note-

GPB—1,000—S.S.11

From, "The Office of Pajari of Kotta Byredevara Temple therefore rejected".

Memo

DS 29/8/28

MCC 333.27.-7

Copy to the M.C.

Reg. The records received with his Letter No. 1565 dt 28/7/1928

B. O

Jr Fin. Secy

Copies to Advocates for info.

B. O.

Jr Fin. Secy.

20/7/29

Before the Government of His Highness the Maharaja of Mysore.

Mysore Appeal No. 5 of 1927-28

Appellants	*Vs.*	Respondents
Bhaira Setty, Linga Setty and others.		Lingegowda, Siddegowda and others.

Subject.

Appeal against the Muzrai Commissioner's order directing the appointment of a Sivachar Pujari to Katte Kyredevaru temple in Chikka Anasinakere village, Malavalli Taluk.

* * * * * * *

D e c i s i o n .

The case was heard on 10th September 1928 appellants being represented by Mr. K. Shankaranarayana Rao and the respondents by Mr. T. Venkatapathiah.

The office of Pujari of Katte Kyredevaru temple in the village of Chikkanasinakere, Malavalli Taluk, has not been conferred on any family of either Lingajiga or Sivachar community on condition that it should descend hereditarily in that family. The enquiry held into the matter has not also established the fact that any family of either community has held the office successively for three generations. It has been ascer-

tained

ascertained that the appointment of a Pujari of Shivalaya community is acceptable to a large section of the devotees of the temple. In these circumstances, there are no reasons to interfere with the orders passed by the Inspector and the appeal is therefore rejected.

By order,

Dy. Secretary to Government,
Revenue Department

No. 665 Sur. 2 file
Spl. 333-27-7. Cutcherry, Bangalore, the 21st Sept. 1928.

Copy of the above is forwarded with compliments to the Inspector General of Forests, returning the records received with his letter No. 1865 dated 20th July 1928.

By order,

Dy. Secretary to Government,
Revenue Department